

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ADOPTING THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 715 (SEIU), MEMORANDUM OF UNDERSTANDING AND AMENDING CERTAIN PORTIONS OF RESOLUTION NO. 131-04, THE CITY'S SALARY RESOLUTION, BY AMENDING THE PAY SCHEDULE FOR CATEGORY L (SEIU-REPRESENTED) CLASSIFICATIONS

WHEREAS, staff recommends adoption of the Memorandum of Understanding (MOU) between the City of Sunnyvale and the Service Employees International Union, Local 715 (SEIU), effective July 1, 2005 through June 30, 2008; and

WHEREAS, staff recommends adoption of certain amendments to Exhibit 1 of the City's Salary Resolution No. 131-04 related to the pay schedule for Category L (SEIU-Represented) classifications in order to incorporate the provisions of the MOU;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT the Memorandum of Understanding between the City of Sunnyvale and the Service Employees International Union, Local 715 (SEIU), effective July 1, 2005 through June 30, 2008, is hereby adopted; and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT Exhibit 1 to Fiscal Year 2004-05 Salary Resolution, Resolution No. 131-04, is hereby amended, in pertinent part, as follows:

1. Section 3.300 HOLIDAY LEAVE is amended as follows:

Employees in Categories A, B and C are entitled to holiday leave or in-lieu pay as detailed in the applicable MOU. Employees in Categories B, C (except those scheduled to work holidays), D/E, F, G and K who were on pay status both before and after each holiday shall be entitled to take leave on each of the following holidays and be paid at the straight time rate, except as provided in Section 3.320. Employees in Category L are entitled to holiday leave hours on an annual basis based upon years of service as detailed in the applicable MOU.

[Remainder of text unchanged.]

2. Section 5.060 is deleted:

~~5.060. BOOKMOBILE PAY. Employees in Category L who drive the Bookmobile shall receive Bookmobile Pay as set forth in the applicable MOA.~~

3. Sections 5.510(b)(6) and 5.510(c)(4) are amended as follows:

5.510. CITY CONTRIBUTION FOR HEALTH INSURANCES.

(a) [Text unchanged.]

(b) (1)-(5) [Text unchanged.]

(6) ~~Effective June 23, 2002, each~~ Each employee in Category L may direct the City to contribute an amount or amounts to his or her employee ~~and dependent medical insurance, employee and dependent dental insurance, or employee and dependent vision insurance~~ assistance program insurance, employee and dependent vision care insurance, employee and dependent medical insurance, employee and dependent dental insurance, or any combination thereof, so long as the maximum ~~contribution~~ total amount of such contributions does not exceed Three Hundred Thirty-nine Dollars and Forty-one Cents (\$339.41) per month (\$156.65 per pay period) inclusive of any amount contributed by the City under (a)(5) above. ~~This section is effective through the end of the 2004/2005 fiscal year (June 18, 2005), and is then superceded as follows:~~

~~Effective the first pay period including July 1, 2005 of the 2005/2006 fiscal year, each employee in Category L may direct the City to contribute an amount or amounts to his or her employee and dependent medical insurance so long as the maximum total amount of such contribution does not exceed Two Hundred Forty-Eight and 92/100 Dollars (\$248.92) per month, inclusive of any amount contributed by the City under (a)(5) above.~~

(c) (1)-(3) [Text unchanged.]

(4) To the extent any employee in Category L elects a combination of insurance coverages, the cost of which exceeds Three Hundred Thirty-nine Dollars and Forty-one Cents (\$339.41) per month (\$156.65 per pay period), the employee shall pay the difference. Any payment required to be made by the employee shall be deemed made first for employee and dependent dental insurance, second for employee and dependent medical insurance, third for employee and dependent vision insurance, and last for employee assistance program. ~~This section is effective through the end of the 2004/2005 fiscal year (June 18, 2005), and is then superceded as follows:~~

~~Effective the first pay period including July 1, 2005 of the 2005/2006 fiscal year, to the extent any employee in Category L elects medical insurance coverage, the cost of which exceeds Two Hundred Forty-Eight and 92/100 Dollars (\$248.92) per month, the employee shall pay the difference in accordance with the applicable MOU. See also, Section 5.515 CAFETERIA BENEFITS PLAN.~~

(d) [Text unchanged.]

4. Section 5.515 is amended as follows:

5.515. CAFETERIA BENEFITS PLAN.

(a) CATEGORIES B AND G. For Category B and G employees, the City will contribute Two Hundred Ninety Seven Dollars and Twenty Cents (\$297.20) per month (\$137.17 per pay period) towards a Cafeteria Benefits Plan. To the extent any employee in Categories B and G elects coverages under the Cafeteria Benefits Plan, the cost of which exceeds Two Hundred Ninety Seven Dollars and Twenty Cents (\$297.20) per month, the employee shall pay the difference.

(b) CATEGORY L. For Category L employees, the City will contribute towards a Cafeteria Benefits Plan. The amount the City contributes towards the Cafeteria Benefits Plan shall be made based on paid time (actual hours worked plus paid leave) as detailed in the applicable MOU.

5. Section 7.120 is amended as follows:

7.120. MERIT INCREASE. NONMANAGEMENT. Upon completion of thirteen (13) pay periods, employees in Categories A, B, C and G may be assigned the next step in the pay range to which the classification is assigned. Such merit increases shall not be approved unless the employee's work performance is acceptable. Consideration for each subsequent one step merit adjustment is given at twenty-six (26) pay period intervals until the employee's hourly pay rate reaches the top step of the pay range. Increases may be granted effective with the pay period immediately following the anniversary date.

Upon completion of ~~1040 paid hours~~ six (6) months of continuous City service, employees in Category L may be assigned the next step in the pay range to which the classification is assigned. Such merit increase shall not be approved unless the employee's work performance is acceptable. Consideration for each subsequent one step merit adjustment is given upon completion of intervals of ~~2080 hours~~ twelve (12) months of continuous service until the employee's hourly pay rate reaches the top step of the pay range. Increases may be granted effective with the pay period immediately following completion of the requisite hours.

6. Section 8.100(b) is amended as follows:

8.100. UNCLASSIFIED RECREATION, CASUAL, SEASONAL AND SPECIAL PROJECT APPOINTMENT. LIMITATIONS.

(a) [Text unchanged.]

(b) A person may be employed in a position within the Unclassified Service Casual, provided that the total hours of such employment do not exceed ~~1000~~900 hours per fiscal year, and such employment shall conform to the PERS definition for this category of employment in that part-time employment is limited to less than an average of 20 hours per week. Employees in this category who regularly work the same number of hours per week will typically work 15 or less hours per week.

Adopted by the City Council of the City of Sunnyvale at a regular meeting held on April _____, 2006, by the following vote:

AYES:

ABSTAIN:

NOES:

ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM AND LEGALITY:

David E. Kahn, City Attorney